

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

LACEY PAIGE

Plaintiff,

vs.

JERRY MURRAY, et al.

Defendants.

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Case No. 1:12-cv-40 SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to issue subpoenas duces tecum (#59). Plaintiff brought this 42 U.S.C. § 1983 claim against defendants, alleging that they violated plaintiff's Eighth and Fourteenth Amendment rights by threatening his health and safety with regard to an alleged sewer leak in his cell.

On April 3, 2013, this Court advised plaintiff regarding how he should request subpoenas to be served on third parties. On May 8, 2013, plaintiff filed his request.

It appears that plaintiff seeks to obtain his medical records from individuals at the Southeast Correctional Center ("SECC") and the South Central Correctional Center ("SCCC"). Plaintiff names one individual who he states has custody and control over his medical records at the SCCC. However, he states that he wants to issue subpoenas on four individuals who "can be located at Southeast Correctional Center." He does not state whether any of those four individuals at SECC have custody and control over his medical records or why he would need to subpoena all four of those individuals. The Court will order the Clerk to issue a subpoena to be served on the individual at SCCC, but the Court denies plaintiff's requests for the four subpoenas he seeks to have served on the four individuals ("Ricky Allen, David Kirkman, David Perkins,


and Joe Jones”) at SECC. Plaintiff may resubmit his request to this Court if he can provide the name of one person or entity on which to serve the subpoena duces tecum or explain the need to serve more than one individual.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall issue a subpoena to Renee Todaro, the Medical Administrator at the South Central Correctional Center, 255 W. Highway 32, Licking, MO 65542, and command her to produce a verified copy of all of Lacey Kurt Paige’s prison medical file that were created from August 5, 2010 through December 1, 2010, as a result of any Medical Service Request Forms. The production shall be made by mailing or otherwise delivering documents on or before 30 days from the date of the subpoena to Lacey Kurt Paige, #516964, South Central Correctional Center, 255 West Highway 32, Licking, MO 65542.

IT IS FURTHER ORDERED that the United States Marshal shall serve the subpoena on Renee Todaro at the address above.

Dated this 13th day of May, 2013.


STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE